

Appl. No. 09/786,600
Atty. Docket No. CM2011
Amdt. dated 06/10/2003
Reply to Office Action of 2/12/03

REMARKS/ARGUMENTS

The specification has been amended to meet the Examiner's objections regarding the uniformity of citations to the U.S. Patent documents.

Claims 2 and 3 have been cancelled. Claims 1, 4, 5, 6 and 7 are now in the case.

Claim 1 has been amended to specify that the treated article has a cured fluoroacrylate coating on its surface. Basis is in the specification at page 15, beginning at line 11, and at page 14, lines 1-2 (radiation curing). Claim 1 has also been amended to delete superfluous language objected to by the Examiner (see §112 discussion, below). Likewise, Claims 4 and 5 have been amended from the British style to the U.S. style. It is submitted that all amendments are supported by the specification, and entry of the amendments is requested.

Rejection Under 35 USC 112

All claims stand rejected in the use of the terms "static", "plane" and "smooth", as set forth by the Examiner at pages 2 and 3 of the Office Action. Inasmuch as those terms no longer appear in the claims, it is submitted that all claims, as amended, fully meet the requirements of §112. Reconsideration and withdrawal of the rejections are requested.

Rejection Under 35 USC 102

Claims 1-4 stand rejected as anticipated by U.S. 4,632,842, for reasons of record at page 3 of the Office Action.

Claims 1-7 also stand rejected as anticipated by EP0508136, for reasons of record at pages 3-4 of the Office Action.

Applicants respectfully traverse all rejections under §102, to the extent they may apply to the claims as amended herewith.

The claims now in the case require a fluoroacrylate coating on the surface of the treated article. Neither U.S. '842 nor EP '136 teaches or suggests such a coating.

U.S. '842 mainly employs tetrafluoroethylene gas in its coating process (Col. 3, l. 16), although hexafluoroethane mixed with hydrogen can also be used (Col. 3, l. 58). See also: Col. 8, l. 23; Col. 9, l. 51; Col. 11, l. 59; col. 13, l. 11; Col. 13, l. 49; Col. 13, l. 59; and Col. 14, l. 24. Nothing in '842 teaches or suggests that the gaseous fluorocarbons used therein could be replaced by the fluoroacrylates of the present invention.

EP '136 employs fluorocarbon-containing silicone components to provide a chemically absorbed film on apparel material. This is succinctly explained, and demonstrated by Figure 1, in

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the Abstract on page 1 of EP '136. In short, nothing in EP '136 teaches the fluorinated polyacrylate coating of the present invention in the sense of §102.

In light of the fact that neither reference teaches all elements of the present invention, it is submitted that they cannot support a rejection of the amended claims under 35 U.S.C. §102. Reconsideration and withdrawal of the rejections are therefore requested.

Double Patenting

All claims stand provisionally rejected for double patenting over P&G Case CM1894, Application No. 09/786,075.


It is submitted that the amended claims now in the present case are well outside those of the cited Application and withdrawal of the Double Patenting rejection is requested. In any event, it is submitted that the rejection is premature, inasmuch as allowable subject matter has not yet been indicated by the Examiner. In that event, an appropriate Terminal Disclaimer will be provided, if necessary.

In light of the foregoing, early and favorable action on Claims 1 and 4-7 is requested.

Respectfully submitted,

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